 FILED US Bankruptcy Court-UT
JAN 28 2025 PM4:31

Johnathan Ryan Darger
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Third Party Intervenor

**IN UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re:	Case No. 24-26705
Lorenzo Luciano Lopez	Chapter 13
Debtor	Judge: Joel T. Marker

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant

1. Name of appellant: **Johnathan Ryan Darger**
2. Position of appellant in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

- ☐ Plaintiff
☐ Defendant
☐ Other (describe) _____

For appeals in a bankruptcy case and not in an adversary proceeding.

- ☐ Debtor
☐ Creditor
☐ Trustee
☒ Other: Third party with an ownership interest in the real property in question

Part 2: Identify the subjects of this appeal

1. Describe the judgment—or the appealable order or decree—from which the appeal is taken:

Appellant is appealing the following four appealable judgments, orders, or decrees:

1. Docket entry 28: ORDER GRANTING AUNTIE TUT TRUST'S MOTION FOR POST BANKRUPTCY RELIEF FROM THE AUTOMATIC STAY AND GRANTING RELIEF PURSUANT TO 11 U.S.C. § 362(d)(4)(A & B)

(Related Doc # 7). Description of Property: 13887 South Lamont Lowell Circle, Herriman, UT. Signed as modified by the Court.

2. Docket entry 29: Unsigned Order denying Debtor's ex parte request (related document(s):19 Pending Order filed by Debtor for his EX PARTE REQUEST BY DEBTOR FOR VOLUNTARY DISMISSAL OF CHAPTER 13 BANKRUPTCY CASE WITHOUT PREJUDICE PURSUANT TO 11 USC § 1307(b). Reason Order Was Unsigned: The Court will prepare its own dismissal order as discussed at the January 14,2025 hearing.

3. Docket entry 30 Order Dismissing Case with Prejudice for Debtor Lorenzo Luciano Lopez (related document(s):18 Auntie Tut Trust's Motion to Dismiss Case). Debtor Lorenzo Luciano Lopez BARRED)

4. Docket entry 31: Unsigned Order denying (related document(s):24 Pending Order filed by Third Party John Darger concerning Third Party's motion to intervene). Reason Order Was Unsigned: This motion was filed after the hearing had already begun and would not have altered the Court's ruling in any event. The case now being dismissed at the Debtor's request, this motion is also moot.

2. State the date on which the judgment—or the appealable order or decree--was entered:

All of the subjects of this appeal were entered on January 14, 2025

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment—or the appealable order or decree—from which the appeal is taken and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: Auntie Tut Trust

Attorneys:

Jeremy C. Sink (9916)

36 South State Street, Suite 1900

Salt Lake City, UT 84111

Telephone: (801) 239-3157

Email: jsink@kmclaw.com

Attorney for Creditor: Auntie Tut Trust

2. Party: Utah Chapter 13 Trustee

Attorneys:

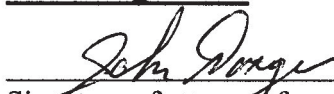
Lon A. Jenkins (4060)
Tami Gadd (12517)
MaryAnn Bride (13146)
Katherine T. Kang (14457)
465 South 400 East, Suite 200
Salt Lake City, Utah 84111
Telephone: (801) 596-2884

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☐ Appellant elects to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below



Signature of attorney for appellant (or appellant)
if not represented by an attorney)

Date: 1-28-25

Name, address, and telephone number of attorney
(or appellant(s) if not represented by an attorney):

Johnathan Ryan Darger
13887 S Lamont Lowell Cir
Herriman, UT 84096
(801) 671-5942

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

[**Note to inmate filers:** If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]

CERTIFICATE OF SERVICE


The undersigned hereby certifies a true and correct copy of the foregoing was served electronically via CM/ECF notification on this 28th day of January, 2025 on the following parties, if applicable, or served by first class mail, if applicable:

Lon Jenkins
Chapter 13 Trustee
ECF Notification

United States Trustee
ECF Notification

Jeremy C. Sink (9916)
KIRTON MCCONKIE
36 South State Street, Suite 1900
Salt Lake City, UT 84111
Telephone: (801) 239-3157
Email: jsink@kmclaw.com
Attorney for Creditor: Auntie Tut Trust
ECF Notification

Dated this 28th day of January, 2025.


Johnathan Ryan Darger
Third Party Intervenor